

I. Definitions

Note: As a discussion draft, not all the definitions below will be incorporated into proposed regulations, some are provided for convenience. For example, definitions already in Public Resources Code will not be restated in the regulations. The proposed regulations will include other sections on: submittals, plan contents, reports, payments to CalRecycle, records retention, confidentiality, enforcement. These will eventually be combined into one document.

The following definitions, as well as the definitions found in Public Resources Code §§ 42970-42983, apply to these regulations:

- (1) "Must" or "shall" means a provision is mandatory.
- (2) "May" means a provision is permissive.

- (a) **Administrative Fee:** Payments from the manufacturer or stewardship organization to the department that cover the costs of its services to implement carpet stewardship plans, including, but not limited to, administrative, oversight, and enforcement activities.
- (b) **Assessment:** Means the dollar amount added to the purchase price of carpet that is subsequently remitted to a stewardship organization or manufacturer, and shall be spent on implementing the carpet stewardship plan.
- (c) **Aggregate Assessment:** Means the sum of all statewide assessments collected in the state of California in a calendar year.
- (d) **Diversion:** Means any combination of waste prevention (source reduction), recycling, reuse, and composting activities that reduces waste disposed at permitted landfills and transformation facilities. (source: CalRecycle website) Transformation is not diversion for the purpose of this Article.
- (e) **Recycling:** means the process, consistent with Section 40180, of converting postconsumer carpet into a useful product that meets the quality standards necessary to be used in the marketplace. (source: AB2398)

Section 40180 says recycling is defined as the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste. Recycling also includes returning these materials to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace. Recycling does not include transformation of materials.
- (f) **Reporting period:** The period commences in January and ends in December, and represents twelve consecutive months in the preceding calendar year.
- (g) **Significant or Material Change:** Any change in a required element of the carpet stewardship plan or annual report.

- (h) **Transformation:** Means incineration, pyrolysis, distillation, or biological conversion other than composting. Transformation does not include composting, gasification, or biomass conversion. (Source: California Public Resources Code Section 40201)

II. Selected Definitions from the draft 2012 Carpet Memorandum of Understanding (MOU)

Definitions in this section are provided for convenience and for discussion purposes only.

- (a) **Carpet as Alternative Fuel (CAAF):** Fuel that has been produced from source-separated, and sorted post-consumer carpet and processed, including (1) extraction of components for recycling if at all possible; and (2) size reduction, shredding, and/or blending with coal fines, etc. (Source: draft 2012 Carpet MOU 1/25/2011)
- (b) **Disposal Diversion:** Carpet removed from the waste stream that was destined for the landfill or incineration, for the purpose of reuse, recycling, CAAF or waste-to-energy. (source: draft 2012 Carpet MOU)

Note: The 2012 Carpet MOU definition is NOT consistent with the department's definition and is provided here to highlight the distinction.

- (c) **Post-Consumer Recycled Carpet Content:** The amount or percent of carpet, by weight, that is no longer used for or has served its manufactured purpose, that is incorporated into the manufacturing process of the same or a different product. (Source: draft 2012 Carpet MOU 2/1/2011)
- (d) **Recycling:** Transforming or remanufacturing discarded carpet materials into usable or marketable materials, rather than for landfill disposal, incineration, waste-to-energy (WTE), CAAF, or reuse. (Source: draft 2012 Carpet MOU 2/1/2011).
Note: The 2012 Carpet MOU definition is different from the department's definition and is provided here for comparison.
- (e) **Recycled Content:** Also known as recovered material content, is the percentage of material, by weight, a product is made from that has been recovered from consumers in the municipal solid waste stream (post-consumer content) plus any industrial materials salvaged for reuse (pre-consumer/post industrial content). (Source: draft 2012 Carpet MOU 1/25/2011).
- (f) **Reuse:** Refurbishing and donating/selling recovered carpet back into the market for its original intended use. The reuse of recovered carpet retains the original purpose and performance characteristics of the carpet. (Source: draft 2012 Carpet MOU-not finalized).
- (g) **Source Reduction:** The result of using less product or material in manufacturing and use of carpet, and/or reducing the amount of discarded carpet generated. (Source: draft 2012 Carpet MOU 2/1/2011).